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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/806,683
	Filing Date	June 26, 2003
	First Named Inventor	Hughes
	Art Unit	2645
	Examiner Name	Gerald Gauthier
	Attorney Docket Number	AUS920030328US1
Total Number of Pages in This Submission		9

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AUS920030326US1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hughes, et al.  
Serial No.: 10/606,683  
Filing Date: June 26, 2003  
Group Art Unit: 2645  
Examiner: Gerald Gauthier  
For: METHOD FOR PERSONALIZING  
COMPUTERIZED CUSTOMER SERVICE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT

Sir:

In response to the Office Action mailed June 16, 2005 Applicants herewith submit a copy of the formal drawings for the above referenced application with boxes in Figs. 1 and 2 now having labels corresponding to the descriptions thereof in the specification. A replacement sheet is attached.

All originally filed claims stand rejected under 35 USC 103 in view of US Patent 6,205,418 B1 to Li et al. (Li) in combination with one or more of US 2002/075300 A1 to Tang et al. (Tang), US 2002/0152244 A1 to Dean et al. (Dean), US Patent 6,584,180 B2 to Kazuo Nemoto (Nemoto) and US 2004/0030567 A1 to Culy et al. (Culy), Applicants note that Tang, Dean and Nemoto are commonly assigned with the instant application.

The present invention as described and claimed facilitates the user system interface by ascertaining a user's preferred language usage pattern and thereafter presenting any subsequent information from the system to the user utilizing that user's

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preferred language usage. The system information may be presented to the user visually or aurally.

Applicants agree with the Examiner that some feature of their invention may be found in the prior art. Applicants disagree that making the combinations suggested by the Examiner result in the present invention, and assert that without the teaching of the present invention one skilled in the art may not be motivated to make the combination at all.

With regard to the Examiner's rejection of the independent claims 1, 4, and 10 Applicants argue that their claims define patentably over the combined teachings of Li and Tang. As described, Applicants' ascertaining step of claim 1 and means for prompting of claims 4 and 10 relate to determining a user's language usage and language usage pattern preferences. Then a user profile is created. The cited and applied portion of Li has a different sequence; a user profile is retrieved before modifying that profile in response to another language selection. Further, Li in column 4, lines 10 – 39 discloses how their system offers several languages from which a user may choose as well as offering the user an opportunity to modify a standard language or to create a new language for which the user must supply translation. Applicants are not specifically offering multiple languages from which a user may select, a concept admittedly old in the art. Rather, Applicants describe (page 2, lines 11 – 15) and claim in their independent claims modifying language patterns in response to interactively ascertaining a user's preferences. This modification occurs in usage patterns of a language. See page 3, lines 23 – 27.

Thus Applicants assert that Li as modified by Tang neither teaches nor suggests Applicants' invention. Tang is cited by the Examiner for disclosing Applicants' claim 1 step of 'presenting information so modified to said user.' Applicants present to the user information arising from the computer system in accordance with the user profile which has been created after interactively determining the language usage preferences of the user. Tang's presentation to the user the user interface layout file and later transcoding

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results in no way serves to teach or suggest Applicants' presenting step because of what is being presented.

With regard to claim 4 the Examiner's rejection is based on apparently equating language selection with Applicants language usage pattern preferences. Applicants traverse the pertinence of Li as noted above. Similarly, Li's custom language development tool is not equivalent to Applicants' means for analyzing since the purpose of Applicants' means is, e.g., to determine pronoun preference or pacing not update the user profile with a new language selection.

Following this reasoning Applicants assert that the remaining details of the grounds for rejecting claim 4 must fail. The essential difference between the present invention and the prior art rests on the difference between language and language usage pattern preferences.

Applicants' traverse of the specific rejection of claim 10 tracks their traverse of the rejection of claim 4. The difference in subject matter of claims 4 and 10 is that the former describes apparatus and the latter describes a computer program product.

Applicants traverse the rejections of their dependent claims because they depend from independent claims believed patentable over the prior art. Adding the various elements the Examiner cites in Dean, Nemoto and Culy does not overcome the lack of any teaching or suggestion in Li of language usage pattern preferences as the information sought from a user of the system.

In rejecting claims 2, 5 and 13 the Examiner relies upon the combination of Li and Tang supplemented by Dean's teaching that the computer system includes a Web site. Applicants repeat that their ascertaining step as further described in claim 2 related to language usage preferences and claim 2 clearly states how a user makes preferences, not a language, known to the system.

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Dependent claims 3, 8, 9, 11 and 12 relate to Applicants' invention when implemented in a system wherein a user interacts aurally and vocally. Applicants disagree with some of the Examiner's assertions regarding Nemoto. The reference does relate to an automatic voice response system. However, it does not disclose 'iteratively querying the user to determine preferred voice qualities' in column 8, lines 52 – 56 as the Examiner asserts. The plain meaning of the words as quoted by the Examiner supports Applicants' conclusion. Nowhere does Nemoto talk about voice qualities. The cited portion relates to determining user responses to a voice mail menu. The stated purpose of the invention in Nemoto is to reduce the number of times as operator must take over a call initially handled by the automated system, Nemoto also purports to reduce the number of time a user must repeat information.

The Examiner relies on the addition of Culy to the Li – Tang – Dean combination to reject claims 6 and 7. These are claims depending from an independent claim the patentability of which is argued above. Culy is cited for teaching means to [resent a plurality of passages from which a user may choose. Applicants disagree. The cited portions of this reference relate to improvements and voice recognition. The morphology file and its possible contents are described in paragraph 0043. Applicants' attorney is unable to discern where multiple presentations are made to a user as part of prompting the user to make a choice as describes in Applicants' claim 6. Nor is the teaching of Applicants' claim 7 totally found in the Culy combination. Applicants agree that Culy's morphology file is a place to store and is useful in assuring subject and verb agreement, but not as required by claim 7. Culy does not disclose saving the pronoun choice of the user for subsequently presenting information to the user utilizing the user's preferred language usage pattern.

In conclusion, Applicants request the Examiner to reconsider and withdraw his rejections of the claims pending in the case. Applicants have argued that none of the references in any combination suggest the present invention. Even if combined as the Examiner suggests, without the teaching of the present invention, a method, apparatus and program product for ascertaining the language usage preferences of a user and

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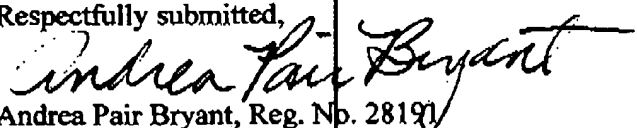
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thereafter presenting system communication to the user using those language usage preferences.

Respectfully submitted,



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